Tandridge Local Plan Examination - Statement to Matter 6: South Godstone Garden Community and housing allocations
Berkeley Strategic

September 2019
1. Introduction

2. Response to Matter 6: South Godstone Garden Community and housing allocations
1. **Introduction**

1.1 This Statement has been prepared on behalf of Berkeley Strategic in response to Matter 6 of the Examination into the emerging Tandridge Local Plan 2033.

1.2 Berkeley Strategic are promoting the land at Roffes Lane, Caterham, which is identified in the Housing and Economic Land Availability Assessment (HELAA, 2017/2018) as site Ref. CAT042.

1.3 Our response to these extensive questions specifically relate to our previous submissions at Regulation 19 stage. No inference should be made that we support a draft allocation if we have not commented on it. As set out in our other Statements, we have significant and substantial concerns at the approach adopted by the Council in terms of spatial strategy, meeting housing needs, and site selection.

1.4 We have identified a large number of concerns regarding the allocations set out within the Draft Local Plan. As noted previously, there are very few allocations proposed at the Tier 1 settlement of Caterham and yet the main allocation proposed there (Land off Salmons Lane West) is notably constrained by factors other than its location in the Green Belt. Likewise, many of the proposed allocations which would require amendments to Green Belt boundaries are judged (in the Part 1 and 2 Green Belt Assessment) as not being suitable for further consideration.

1.5 The approach taken to the allocation of sites therefore presents as being highly arbitrary, with the Council’s choice of sites often being contrary to the evidence base upon which the Draft Local Plan (supposedly) relies. The Council cannot claim to be releasing only those Green Belt sites which contribute the least to the purposes of this designation. As a consequence, the credibility of the site-specific exceptional circumstances cited to support of those allocations proposed for release from the Green Belt is called into questions. Again, our client maintains that this is particularly the case as sites in less sustainable settlements are proposed for allocation, whilst very few allocations are sought at Caterham.

1.6 Where relevant we have also commented on the deliverability / developability of many of the proposed allocations. In this respect, it is noted that several of the allocations (including those within the Green Belt) are identified as being subject to a multiplicity of constraints, including landscape, heritage and ecology. Similarly, a number of proposed allocations are identified as being subject to flood risk constraints, yet little detailed evidence put forward to explain how such allocations meet the sequential and/or exception tests. Furthermore, a number of the proposed allocations are expected to deliver a significant quantum of infrastructure enhancements, community facilities, etc. (in additional to affordable housing) despite the fact that they are relatively limited in size. It is likely then that the viability of a number of said allocations may be called into question, such that the quantum of envisaged development and timescales for delivery shall subsequently be put at risk, not least the provision of affordable housing.

1.7 Overall, Berkeley Strategic regards the approach to the allocation of sites to be flawed, with the effect that the Council has (in many cases) disregarded its own evidence base
and failed to outline a strategy for delivery which will genuinely promote sustainable development. As such, our client’s do not regard the proposed allocations set out at Section 22 of the Draft Plan to be positively prepared, justified, effective or consistent with national policies.
2. Response to Matter 6: South Godstone Garden Community and housing allocations

SCG01: South Godstone Garden Community

Issue: Whether all Statutory and Regulatory requirements have been met?

Q6.1 Is the approach that the specific details of the proposed Garden Community would be determined through an Area Action Plan (APP) effective and is it clearly justified to address these matters in an additional development plan document?

2.1 The second strand of the proposed Spatial Strategy aims to support the delivery of new dwellings though the development of a new Garden Community (‘GC’) at South Godstone. The Council has provided no substantive evidence to suggest why this new settlement would come forward within the Plan period.

2.2 In our previous Statements we have noted how the SA has been approached in terms of the GC, with every alternative including the GC, yet the 2015 Issues and Options Consultation included alternative strategies (including an urban extension option including our clients site) which were not carried through into the SA process. This approach is procedurally concerning, but also delays the ability of participants and the Inspector to robustly consider whether a GC is justified, as by delaying consideration to an AAP process, it will necessarily have to have some status in this Local Plan. As we have demonstrated elsewhere in our submissions, alternative opportunities exist, including our client’s site which is demonstrably deliverable at this stage of the Plan-making process.

Q6.2 Was the broad location for the proposed Garden Community selected on a robust basis?

2.3 The Council has identified a large area of search, but has yet to specify the location on the proposed new settlement. Furthermore, the area of search (as identified at page 246 of the Draft Plan) is currently entirely washed over by the Green Belt and would remain so if this Plan was adopted. There is therefore no guarantee that, when preparing work in support of the envisaged Area Action Plan, the Council will find that any of this land is actually suitable for release.

2.4 The site was historically promoted for a much larger development of 5,000 dwellings, not the 1,400 proposed within the draft Local Plan. SCG01 clarifies that the final intention is for a scheme of some 4,000 homes, running beyond this Plan period. It must procedurally therefore be a development of that scale that is assessed within the SA and other evidence documents, particularly given an acceptance of the GC in this Plan period would suggest that it could predetermine this area as an ongoing area of growth, again subverting the proposed SA and site selection process at any future Plan-making stage.

2.5 Our client is therefore concerned that little evidence is provided to suggest how the requirements for this proposal will be financed. Despite the Council receiving £150,000 this June from the government’ Garden Community fund to help progress the design
and delivery of the Garden Community and ensure resources are available to support it, this does not provide any certainty on delivery and certainly did not assist with the selection of the site.

2.6 We are particularly concerned about the uncertainties regarding its delivery and funding. The IDP makes generic references to suggest that funding will be drawn from S106 funding, the Local Enterprise Partnership, private sector finance and public sector subsidy. This includes a reliance on HIF funding (£45M), developer contributions from CIL (£105M), Department for Education money for school provision (£25M) and private or public sector contributions (£10M). At this time, none of this is confirmed or indeed adequately costed, as the extent of the site and its requirements are unknown. This provides little certainty as to the prospects for securing such funding and the Council will be aware that many sources of public sector infrastructure subsidy are subject to heavily oversubscribed competitive bidding processes.

2.7 The proposal for a new settlement at South Godstone has simply not been developed to a point where it is possible to suggest (with any confidence) when it will come forward. Furthermore, it is notable that the proposal does not appear to be supported by a particularly comprehensive suite of evidence base studies. This is concerning in view of the importance the proposed Garden Community makes in relation to the proposed Spatial Strategy. Therefore, our client maintains that draft Policies TLP01 and SGC01 cannot be regarded as being justified or effective, and thus they render the Draft Plan unsound. There is no robust evidence to support the broad location nor which underlines the suitability and deliverability of the site.

**Q6.3 Is the proposed broad location in a suitable location for housing development?**

2.8 The proposed new settlement is associated with an extensive list of requisite infrastructure requirements, as set out at pages 27 to 30 of the Infrastructure Delivery Plan (IDP, July 2018). This document suggests that the delivery of the proposed new settlement will require infrastructure enhancements to improve the capacity of Junction 6 of the M25, as well as a potential relief road to relieve pressure on the A22.

2.9 The IDP also suggests that Godstone Station requires significant improvements, which are estimated to cost approximately £15m. These include a Park and Ride facility/transport interchange/mobility impaired access to both platforms, provision of a new ticket hall and water closets. The Draft Local Plan also confirms that there is a requirement for an increase in service frequency, yet it is evident that discussions with Network Rail are only in their infancy. In addition to transport, there are significant requirements for approximately £50m of new education provision, medical provision (£10m), Green Infrastructure (approximately £60m), as well as numerous other requirements which have yet to be fully costed, such as flood defences and sports and recreational facilities.

2.10 The site is remote from existing services and cannot be regarded a suitable location for development. It is difficult to understand how a development of 1,400- dwellings can accord with established Garden Centre principles. It is also not of a scale at this time

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1 [https://www.tcpa.org.uk/garden-city-principles](https://www.tcpa.org.uk/garden-city-principles)
which would provide the necessary supporting services, such as jobs or a secondary school, despite a clear intention for a much larger development to be promoted in a future Plan.

2.11 The proposal is in effect for the creation of an ‘urban extension’ in an isolated location which is not a suitable location for housing development when there are other viable and deliverable reasonable alternatives, such as our client’s site at Caterham.

Q6.4 How was the proposed broad location defined and is the defined extent justified?

2.12 We await a response from the Council on this matter.

Q6.5 How has the identification of the proposed broad location taken into account the significance of designated and non-designated historic heritage assets. Where is the evidence that the Council has identified and assessed the particular significance of heritage assets within or outwith the defined area of search where their significance may be harmed through development within their settings?

2.13 This is a matter for the Council to respond to.

Q6.6 Is there evidence that land within the proposed broad location would not be available for development?

2.14 We would approach this question with the alternative proposition: where is the evidence before the Examination that land is available and deliverable? This is a matter for the Council to respond to, and we necessarily reserve the right to comment on any new evidence.

Q6.7 Is there sufficient evidence in regard to possible infrastructure requirements to suggest that there is a reasonable prospect that homes could be built at the proposed Garden Community in the Plan period as set out in the Plan’s trajectory?

Points to consider include:
- Any necessary improvements to Junction 6 of the M25;
- Any necessary improvements to the A22;
- Any necessary improvements to South Godstone Railway Station;
- Whether the infrastructure requirements have been sufficiently considered and costed so as to inform the high-level viability of the proposal?
- Whether there are any infrastructure requirements which would mean that the site could not be viably developed at the point envisaged?

2.15 This is a matter for the Council to respond to.

Q6.8 When would the proposed Garden Community realistically deliver the first homes? What is the realistic rate of delivery which should be assumed?

2.16 This is a matter for the Council to respond to. In our Matter 2 Statement we investigate the implications of the timing of the GC on the robustness of the Local Plan.

2.17 Appendix 3 of Document HNS2 expects that development within the GC will commence in 2026/27 and deliver a consistent rate of 200 dpa before the end of the Plan period (i.e. will have delivered 1,400 dwellings by 2033). The Foreword to the Plan itself
acknowledges that “A Garden Community can take at least 6 to 10 years to plan and formulate policy for.”

2.18 The LPA’s LDS for 2018 (Document OTH2) envisages that the AAP could be adopted in April-June 2023, leaving only three years before the LPA expects the GC to begin delivering homes. That is incredibly optimistic on a site which has numerous uncertainties. The LPA’s assumptions are that the site delivers housing approximately 7 years from when they expect the Local Plan to be adopted.

2.19 The fact that there is such uncertainty regarding the deliverability of the GC is of significance since 1,400 dwellings represents nearly a quarter (23.12%) of the total expected supply to 2033. There is no guarantee that the 1,400 dwellings will be delivered within the Plan-period given these infrastructure uncertainties and other deliverability questions, and as referenced in our Matter 2 Statement, will likely fail to deliver any development in the first years of the Plan given the need for a site to be identified, an AAP to be drafted, Examined and adopted, and then matters such as infrastructure and reserved matters to be considered and addressed. As noted above, we consider that that process must consider the full intended development, not just the 1,400 units proposed to be delivered in the Plan period.

2.20 To exemplify the likely necessary delays to delivery, we refer to Welbourne\(^2\) in Fareham, which despite detailed policy being adopted forming Part 3 of the Council’s Local Plan (adopted in 2015) and initially identified in its 2011 Core Strategy as well as benefitting from a number of supporting SPD’s, has only just had an outline planning application submitted, and will not deliver any development in the near future.

Q6.9 **Given the affordable housing need identified for the HMA, is it effective to leave the definition of a target for affordable housing to the AAP?**

2.21 No. We consider this in detail in our Matter 2 Statement and note that the Plan fails to provide for demographic needs and the market signal uplift to address affordability and as established in Document HNS11\(^3\), the Plan fails to provide for affordable housing needs:

“The updated calculation indicates that **391 affordable homes are needed annually in Tandridge over the next five years, in order to both clear the existing backlog and meet new need arising during this period**”

2.22 The affordable need for the plan period equates to 7,820 homes. If all homes were delivered on a policy compliant level of affordable homes (40%) this would require an overall housing target of 19,550 homes for the plan period. The GC would be the largest sourced of affordable housing, and if provided at a full 40% provision would yield 560 affordable dwellings. It is apparent that the uncertainty on delivery and related infrastructure costs have resulted in the Council seeking to delay this critical component of the policy.

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\(^2\) [https://www.fareham.gov.uk/planning/localplan.aspx#LocalPlan3](https://www.fareham.gov.uk/planning/localplan.aspx#LocalPlan3)

\(^3\) Affordable Housing Needs Assessment for Tandridge (Updated 2018)
Q6.10  Are the proposed Modifications necessary for soundness?
2.23  This is a matter for the Council to respond to.
Housing allocations

**Issue: Are the proposed housing allocations justified, effective and consistent with national policy?**

**HSG01: Land at Plough Road and Redehall Road, Smallfield**

**Q6.11** What are the exceptional circumstances for the release of the site from the Green Belt?

2.24 This is a matter for the Council to respond to.

**Q6.12** Is the proposed Green Belt boundary justified and consistent with national policy as set out in paragraph 85 of the Framework?

2.25 The Draft Local Plan envisages that this allocation, of a 5 hectare site, shall deliver approximately 80 dwellings. This equates to 32 dwellings per hectare, gross. Yet a small section of the proposed allocation is constrained by flood risk and the wording of the draft allocation policy indicates that the site shall provide attenuation ponds, as well as amenity / public open space. It is therefore doubtful that the development of this site will achieve the quantum of development suggested in the draft Local Plan, particularly if regard is had to the semi-rural character of the site.

2.26 With respect to Green Belt considerations, it is notable that the Green Belt Assessment Part 1 did not recommend this site (or associated land) to be subject to further consideration. Whilst the Part 2 Assessment did subsequently give consideration to another broad area to the south of Smallfield (see Area for Further Investigation 037, pages 124 to 130), no specific analysis was conducted in relation to the land now proposed for allocation. As such, the proposed allocation relies upon the case made in the Part 3 Assessment which states (in relation to SMA004);

“Given that the Green Belt in this location serves the purposes of preventing urban sprawl, encroachment on the countryside and coalescence of built-up areas, development in this location is likely to result in harm to the ability of Green Belt in this location to continue to serve these purposes”.

2.27 Likewise, it is clear also that the Council doubts the sustainability of this location and has significant concerns regarding heritage, landscape and ecological impacts. The Green Belt Assessment Part 3 (Appendix 1) states;

“However, the site is not located within 600m from an area of public open space and does not have access to a secondary school. It is greenfield and its development would be expected to lead to the loss of soil. There would be a reliance on car travel to travel to Crawley and Horley, which have a broader range of facilities and for commuting purposes; if developed, sustainable transport measures and electric charging points would need to be encouraged. The site may not meet the Landscape Character Area guidelines to ‘conserve and enhance the landscape setting to villages and edge of 33 settlement’, whilst adversely affecting the Ancient Woodland that is interspersed throughout the Smallfield area. The site is on the urban edge of Smallfield and has the potential to adversely affect the various Grade II listed buildings in the village. Part of
the site is classified as Grade 3 (good to moderate quality) land under the Agricultural Land Classification system.”

2.28 Taking account of the above, it is questionable whether there are demonstrable exceptional circumstances that justify the release of this land from the Green Belt. This is particularly so when additional and less sensitive sites are available at Caterham, the largest and most sustainable town in the District.

Q6.13 Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework? Would the requirement to explore opportunities for junction improvements at Plough Road/Redehall Road/Chapel Road/Wheelers Lane be effective and is it justified? Is it effective to require the provision of amenity green space in accordance with the ‘most up to date open space assessment’ when it is not part of the development plan?

2.29 This is a matter for the Council to respond to.

Q6.14 Are there any matters which would mean that the site should not be considered to be deliverable or developable as per footnotes 11 and 12 to the Framework?

2.30 This is a matter for the Council to respond to. It is also noted that allocation falls under multiple landownerships, comprising as it does; HELAA Refs. SMA004, SMA088 and SMA040, with the owner of SMA040 likely benefitting from a ransom over the other parcels (for the purpose of securing a vehicular access). Whilst such matters are not explicitly a planning concern, the potential for conflict/protracted negotiations between the varied parties may well have consequential impacts upon the timely delivery of the site.

Q6.15 Are the proposed Modifications necessary for soundness?

2.31 This is a matter for the Council to respond to. We consider that the allocation is unsound with or without the proposed Modifications.

HSG02: Chapel Road, Smallfield

Q6.16 In terms of flood risk, is the allocation of the site justified in respect of the Sequential Test and the Exceptions Test? Has it been demonstrated that a housing development at the site would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere?

2.32 This is a matter for the Council to respond to.

Q6.17 Are there any constraints which would mean that the site should not be considered to be deliverable or developable as per footnotes 11 and 12 to the Framework?

2.33 This proposed allocation suggests that 15 no. dwellings will be delivered through the development of this 0.5 hectare site. From the wording of the draft Policy it is concerning that the Council does not appear to know if the business units on site are occupied and (by implication) whether there are legal/ownership constraints that might inhibit the timely delivery of the site.

2.34 More significantly the site falls within Flood Zones 2 and 3, and partially 3b, including the access to the site (resulting in subsequent concerns regarding the provision of a safe emergency route). The Sustainability Appraisal, which accompanies the Draft Local
Plan, does not explain how the site meets the (flood risk) sequential test and simply suggests that development on the site would pass the exception tests because of the “housing need and other sustainability benefits”.

2.35 Our client would therefore contend that there are a number of significant unresolved uncertainties surrounding this allocation, and it should therefore not be regarded as deliverable.

Q6.18 Are the requirements for financial contributions consistent with national policy for planning obligations and conditions as set out in the Framework?
2.36 This is a matter for the Council to respond to.

Q6.19 Are the proposed Modifications necessary for soundness?
2.37 This is a matter for the Council to respond to. We consider that the allocation is unsound with or without the proposed Modifications.

HSG03: Land North of Plough Road, Smallfield

Q6.20 What are the exceptional circumstances for the release of the site from the Green Belt?
2.38 This is a matter for the Council to respond to.

Q6.21 Is the proposed Green Belt boundary justified and consistent with national policy as set out in paragraph 85 of the Framework?
2.39 The draft Policy associated with this proposed allocation anticipates that this 9.2 hectare site shall be capable of accommodating 120 dwellings.

2.40 With respect to Green Belt considerations, it is understood that the Green Belt Assessment Part 1 did not identify this site (and adjoining land) as suitable for further consideration.

2.41 The Green Belt Assessment Part 3 (Appendix 1) raises the same concerns regarding the sustainability of this proposed allocation as were raised in relation to HSG01. This is say that the Council expresses concerns that proposed allocation HSG03 will likely encourage unsustainable travel by private car.

2.42 Taking these factors into account, it is questionable whether site-specific exceptional circumstances exist to release this site from the Green Belt. This is particularly so, as additional less sensitive sites are available at Caterham, the largest and most sustainable town in the District.

Q6.22 Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework? Would the requirement to explore opportunities for junction improvements at Plough Road/Redehall Road/Chapel Road/Wheelers Lane be effective and is it justified? Is it justified to seek a financial contribution to Plough Field Park Youth provision?
2.43 This is a matter for the Council to respond to.
Q6.23 Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?

2.44 The southernmost part of the site falls within Flood Zone 2. Likewise, the wording of the draft Policy supporting this proposed allocation indicates that “the redevelopment of this site is required to enable flood mitigation for the wider area. Proposals which do not make provision for flood mitigation as the main focus in design and layout, will not be supported.” Whilst addressing wider flood risk issues is potentially a matter of merit (as it is with our client’s land interest at Roffes Lane), it is concerning that the draft policy also states that “proposals shall be required to provide 40% affordable housing”. The weight of such requirements may serve to undermine the viability of this allocation.

Q6.24 Are the proposed Modifications necessary for soundness?

2.45 This is a matter for the Council to respond to.

HSG04: Woodlands Garage, Chapel Road, Smallfield

Q6.25 In terms of flood risk, is the allocation of the site justified in respect of the Sequential Test and the Exceptions Test? Has it been demonstrated that a housing development at the site would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere?

2.46 This is largely a matter for the Council to respond to. This proposed allocation envisages that this 0.2 hectare brownfield site shall deliver 10 no. dwellings, which we regard as broadly reasonable in view of character of the area.

2.47 However, the site is surrounded by Flood Zone 3 (including Zone 3b) and draft Policy HSG04 notes that climate change has the potential to put the entire site at risk. It is not clear if such risks can be overcome, nor does the Sustainability Appraisal indicate if the proposal would be expected to pass the Sequential or Exception test.

2.48 Our client would therefore contend that there are a number of significant unresolved uncertainties surrounding this allocation, and it should therefore not be regarded as deliverable.

Q6.26 Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?

2.49 This is a matter for the Council to respond to.

Q6.27 Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework?

2.50 This is a matter for the Council to respond to.

Q6.28 Are the proposed Modifications necessary for soundness?

2.51 This is a matter for the Council to respond to.

HSG05: Sandiford House, 40 Stanstead Road, Caterham

Q6.29 Would the proposed allocation give rise to a net increase in homes?

2.52 This is a matter for the Council to respond to.
Q6.30 Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?
2.53 This is a matter for the Council to respond to.

Q6.31 Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework?
2.54 This is a matter for the Council to respond to.

Q6.32 Are the proposed Modifications necessary for soundness?
2.55 This is a matter for the Council to respond to.

HSG06: Land off Salmons Lane West, Caterham

Q6.33 What are the exceptional circumstances for the release of the site from the Green Belt?
2.56 This is a matter for the Council to respond to.

Q6.34 Is the proposed Green Belt boundary justified and consistent with national policy as set out in paragraph 85 of the Framework?
2.57 The proposed allocation, on a 4.4 hectare site, is expected to deliver 75 no. dwellings.

2.58 With respect to its suitability for release from the Green Belt, it is noted that the Part 2 Assessment did not recommend the site be taken forward for further consideration. The Part 3 Assessment adds that “The site forms part of the Kenley Aerodrome Conservation Area and therefore development in this location has potential to result in harm to its special character. There is also potential for harm to the ability of the wider Green Belt to meet the Green Belt purposes.”

2.59 As such, the Council cannot credibly claim that there exist exceptional circumstances to justify the release of this site, whilst other sites at Caterham (including our client’s) are less constrained and make a more limited contribution to Green Belt purposes.

Q6.35 What is the significance of the heritage assets at the former RAF Kenley Aerodrome? Where is the evidence that the potential effect on the heritage assets or their settings which may result from the proposed development has been assessed?
2.60 It is notable that this site is constrained by a number of heritage assets, include a Listed Building, Scheduled Monument and a Conservation Area. The site is also bounded by protected trees. Taken together, these are not necessarily insubstantial constraints and when these are accounted for at the decision-taking stage, it is likely that the quantum of achievable dwellings will be reduced below 75 units. This is particularly the case as the evaluation in the Green Belt Assessment Part 3 references the need for a “limited development” to respond to the identified constraints.

Q6.36 Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework and are they justified?
2.61 This is a matter for the Council to respond to.
Q6.37 Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?
This is a matter for the Council to respond to.

HSG07: Coulsdon Lodge, Coulsdon Road, Caterham

Q6.39 Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?
This is a matter for the Council to respond to.

Q6.40 Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework and are they justified?
This is a matter for the Council to respond to.

HSG08: 156-180 Whyteleafe Road, Caterham

Q6.42 In character and appearance terms, would a site access from Whyteleafe Road be justified?
This is a matter for the Council to respond to.

Q6.43 Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?
This is a matter for the Council to respond to.

Q6.44 Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework and are they justified?
This is a matter for the Council to respond to.

HSG09: Land at Fern Towers, Harestone Hill

Q6.46 Would the loss of the garages and the redevelopment of the site give rise to unacceptable parking stress in the surrounding area?
This is a matter for the Council to respond to.

Q6.47 Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?
This is a matter for the Council to respond to.

Q6.48 Are the proposed Modifications necessary for soundness?
This is a matter for the Council to respond to.
Q6.49 Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?
2.74 This is a matter for the Council to respond to.

Q6.50 Are the proposed Modifications necessary for soundness?
2.75 This is a matter for the Council to respond to.

HSG11: Land to the West of Godstone

Q6.51 What are the exceptional circumstances for the release of the site from the Green Belt?
2.76 We refer to our response above.

Q6.52 Is the proposed Green Belt boundary justified and consistent with national policy as set out in paragraph 85 of the Framework?
2.77 Draft Policy HSG11 proposes this land for the development of 150 dwellings. It is notable that the Council’s Green Belt Assessment does not support the release of this site from said designation. Appendix 1 to the Part 3 Assessment (2018) states that;

“The site has been considered through the Green Belt Assessment Part 1 as part of GBA 015, which concludes, at a high level, that the parcel continues to play a role in maintaining separation between Godstone and Bletchningley, and preserving the settling of the two conservation areas and that to its south it is largely free from 35 development, within the village of Godstone seen as encroachment and having potentially sprawled and thus requiring further investigation in Part 2. The site is also considered in Part 2 as an Area for Further Investigation (AFI17) as part of the Defined Village of Godstone, which concludes that development beyond the Defined Village boundaries is more sporadic and interspersed and makes a contribution to the openness of the surrounding Green Belt. Accordingly, it is recommended to be retained.”

2.78 The same document also identifies the site as having “moderate landscape sensitivity”, with it being further noted that “There is inter-visibility with the AONB to the north and the Candidate AONB to the south, with small parts of the site [being] within the AONB, and the impact would be difficult to mitigate”.

2.79 Accordingly, our client considers that the proposal to release this site from the Green Belt for development cannot be regarded as robust, whilst there exist opportunities to release Green Belt sites within Caterham, which the Council has missed because it seeks to identify Caterham as two settlements. Whilst this is the case, the Council cannot reasonably suggest that exceptional circumstances exist to allow for the allocation of this constrained site at Godstone, a Tier 2 settlement.

Q6.53 Is the Policies Map in respect of the boundary of the Surrey Hills Area of Outstanding Natural Beauty (AONB) correct?
2.80 This is a matter for the Council to respond to.

Q6.54 Does the allocation constitute major development within the AONB?
2.81 This is a matter for the Council to respond to.
Q6.55 Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework, and are they justified?

2.82 This is a matter for the Council to respond to.

Q6.56 Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?

2.83 This is a matter for the Council to respond to.

Q6.57 Are the proposed Modifications necessary for soundness?

2.84 This is a matter for the Council to respond to.

HSG12: Land at the Old Cottage, Station Road, Lingfield

Q6.58 What are the exceptional circumstances for the release of the site from the Green Belt?

2.85 This is a matter for the Council to respond to.

Q6.59 Is the proposed Green Belt boundary justified and consistent with national policy as set out in paragraph 85 of the Framework?

2.86 This site is proposed for allocation and release from the Green Belt in order to provide 60 dwellings. The site falls predominantly within a Conservation Area and is proximate to a Grade II* Listed building (‘New Place’). Part of the site falls within Flood Zone 2.

2.87 Appendix 1 to the Part 3 Assessment (2018) states that;

“This site has been considered through the Green Belt Assessment Part 1 as part of GBA 042. The Green Belt evidence concludes that the parcel is effective in safeguarding the countryside from encroachment, contributes to preserving the setting and special character of part of the Lingfield Conservation Area, plays a critical role in checking urban sprawl from East Grinstead and preventing it expanding northwards, and plays a role in maintaining settlements. This site was also considered through Part 2, falling within AFI 045, which concludes that this Area provides a rural setting and approach to the church, and the Green Belt serves to prevent sprawl, the merging of built-up areas and encroachment on the countryside, as being essential in preserving the setting of the conservation area. Furthermore, the overall it is open in character. It is not recommended for further consideration.”

2.88 Again, our client contends that the proposed allocation of this constrained site (at a Tier 2 settlement) cannot be regarded as justified, when there are further opportunities to release Green Belt sites at Caterham.

Q6.60 What is the evidence that the potential effect on the significance of the heritage assets or their settings which may result from the proposed development has been assessed?

2.89 This is a matter for the Council to respond to.

Q6.61 Would criterion IV. Landscape be effective in safeguarding the character and appearance of Lingfield?

2.90 This is a matter for the Council to respond to.
Q6.62 In terms of flood risk, is the proposed allocation of the site justified in respect of the Sequential Test? Would the allocation be effective in ensuring that inappropriate development in areas at risk of flooding are avoided?

2.91 This is a matter for the Council to respond to.

Q6.63 What account has been taken of the emerging Lingfield Neighbourhood Plan in framing the proposed allocation?

2.92 This is a matter for the Council to respond to.

Q6.64 Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework, and are they justified?

2.93 This is a matter for the Council to respond to.

Q6.65 Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?

2.94 This is a matter for the Council to respond to.

Q6.66 Are the proposed Modifications necessary for soundness?

2.95 This is a matter for the Council to respond to.

HSG13: Land West of Red Lane, Hurst Green

Q6.67 What are the exceptional circumstances for the release of the site from the Green Belt?

2.96 This is a matter for the Council to respond to.

Q6.68 Is the proposed Green Belt boundary justified and consistent with national policy as set out in paragraph 85 of the Framework?

2.97 This site is proposed for allocation for the development of 60 no. dwellings. Whilst the site is not regarded as making a major contribution to Green Belt purposes, the Council’s own evidence does not appear to regard this site as a suitable location for development. Appendix 1 to the Part 3 Assessment (2018) states that;

“However, the site is not within a satisfactory distance of a GP surgery or a secondary school. Furthermore, whilst preserving the setting of the Low Weald area, there is the potential for the site to conflict with the Landscape Character Area guidance which states that development should ‘conserve and enhance the landscape setting to villages and edge of settlement’.

2.98 Furthermore, it is noted that this proposed allocation is expected to make contributions / deliver a list of infrastructure requirements, which appear extensive for a 60 dwelling site. This raises questions as to the viability of the allocation and the degree to which the draft policy can be said to comply with Section 122 of the CIL Regulations (2010).
Q6.69  Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework and are they justified?
2.99  This is a matter for the Council to respond to.

Q6.70  Is the text under ‘Strategic Opportunity’ justified, effective or necessary? Does the policy provide a clear indication of how a decision maker should react to a development proposal?
2.100  This is a matter for the Council to respond to.

Q6.71  Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?
2.101  This is a matter for the Council to respond to.

Q6.72  Are the proposed Modifications necessary for soundness?
2.102  This is a matter for the Council to respond to.

HSG14: Warren Lane Depot, Hurst Green

Q6.73  Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework, and are they justified?
2.103  This is a matter for the Council to respond to.

Q6.74  Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?
2.104  This previously developed site is proposed for allocation for the development of approximately 50 no. dwellings. As with HSG13, this relatively small-scale proposal is expected to provide or contribute to a wide-ranging list of infrastructure requirements. This raises questions as to the viability of this allocation, particularly as the site is currently occupied as a waste and recycling plant; a use which may give rise to additional costs associated with remediation.

2.105  Furthermore, whilst the draft Policy identifies that the existing depot will need to be relocated, it is not clear that such a site is readily available within the District. It is therefore not clear when or if the site will become available for development.

Q6.75  Are the proposed Modifications necessary for soundness?
2.106  This is a matter for the Council to respond to.

HSG15: Land West of Limpsfield Road, Warlingham

Q6.76  What are the exceptional circumstances for the release of the site from the Green Belt?
2.107  This is a matter for the Council to respond to.
Q6.77  **Is the proposed Green Belt boundary justified and consistent with national policy as set out in paragraph 85 of the Framework?**

2.108 Proposed for the development of approximately 190 no. dwellings, this site is identified in HELAA as comprising two parcels; WAR005 and WAR036. It is clear from the HELAA assessments that the Council is uncertain as to whether the existing leisure facilities on the site are in active use or not. There is also a requirement for the site to deliver an extensive quantum of infrastructure improvements.

2.109 Is noted that the evaluation in the Green Belt Assessment Part 3 (at Appendix 1) states, in relation to both Refs. WAR005 and WAR036, that “*Given that the Green Belt in this location serves the purposes of preventing sprawl and safeguarding encroachment, development is likely to result in harm to the ability of Green Belt in this location to continue to serve these purposes and potentially may affect the ability of the wider Green belt to serve Green Belt purposes*”.

2.110 As such, the Green Belt Assessment Part 2 recommends that the area of land (which includes Refs. WAR005 and WAR036) be excluded from further consideration. It is therefore concerning that the Council is seeking to progress a site which its own evidence deems unsuitable for release from the Green Belt.

Q6.78  **Is the proposed allocation consistent with paragraph 74 of the Framework in respect of the loss of recreation space? Would it be effective in bringing forward replacement playing pitch provision?**

2.111 This is a matter for the Council to respond to.

Q6.9  **Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework, and are they justified?**

2.112 This is a matter for the Council to respond to.

Q6.80  **Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?**

2.113 This is a matter for the Council to respond to.

Q6.81  **Are the proposed Modifications necessary for soundness?**

2.114 This is a matter for the Council to respond to.

HSG16: Land at Green Hill and Alexandra Avenue, Warlingham

Q6.82  **What are the exceptional circumstances for the release of the site from the Green Belt?**

2.115 This is a matter for the Council to respond to.

Q6.83  **Is the proposed Green Belt boundary justified and consistent with national policy as set out in paragraph 85 of the Framework?**

2.116 This proposed allocation seeks to facilitate the development of 50 no. dwellings as well as Extra Care accommodation. The proposed allocation is comprised of two land parcels identified as refs. WAR011 and WAR023.

2.117 The Green Belt Assessment Part 2 finds that “*this Area serves to prevent Warlingham from merging with Chelsham, it has prevented sprawl of built-up areas, encroachment*
into the countryside and it has, overall, retained an open and undeveloped appearance; as such it is recommend that it should not be considered any further.”

2.118 Again, the Council appears to be proposing sites for allocation which its own evidence suggests should not be released from the Green Belt.

Q6.84 Is the specific requirement for the provision of 25 extra care units within policy HSG16 justified? (see also TLP14)
2.119 This is a matter for the Council to respond to.

Q6.85 Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework and are they justified?
2.120 This is a matter for the Council to respond to.

Q6.86 Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?
2.121 This is a matter for the Council to respond to.

Q6.87 Are the proposed Modifications necessary for soundness?
2.122 This is a matter for the Council to respond to.

HSG17: Land at Farleigh Road, Warlingham

Q6.88 What are the exceptional circumstances for the release of the site from the Green Belt?
2.123 This is a matter for the Council to respond to.

Q6.89 Is the proposed Green Belt boundary justified and consistent with national policy as set out in paragraph 85 of the Framework?
2.124 This draft allocation seeks the delivery of approximately 50 no. dwellings. The site is identified as being constrained by TPOs and Ancient Woodland, is proximate to heritage assets and the evidence base identifies concerns regarding surface water flood risk. Accordingly, whilst it may be possible to develop this site, these constraints raise concerns as to whether it will be possible to achieve 50 units.

Q6.90 Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework and are they justified?
2.125 This is a matter for the Council to respond to.

Q6.91 Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?
2.126 This is a matter for the Council to respond to.

Q6.92 Are the proposed Modifications necessary for soundness?
2.127 This is a matter for the Council to respond to.
HSG18: Former Shelton Sports Ground, Warlingham

Q6.93 What are the exceptional circumstances for the release of the site from the Green Belt?
2.128 This is a matter for the Council to respond to.

Q6.94 Is the proposed Green Belt boundary justified and consistent with national policy as set out in paragraph 85 of the Framework?
2.129 This is a matter for the Council to respond to.

Q6.95 Is the proposed allocation consistent with paragraph 74 of the Framework in respect of the loss of playing fields? Would it be effective in bringing forward replacement provision?
2.130 Proposed for the allocation of approximately 110 no. dwellings, this site currently comprises a number of sports pitches. The wording of the policy therefore indicates that development can only come forward subject to the re-provision of such facilities. It is not clear (from the wording of the HSG18) whether such an alternative and suitable site is available.

2.131 Likewise, the proposed allocation also necessitates the relocation and expansion of the primary school, as a pre-requisite requirement for it to come forward. Such requirements have the potential to introduce complexities that may delay the implementation of this site, if allocated.

Q6.96 Are the requirements for financial contributions as set out under Infrastructure consistent with national policy for planning obligations and conditions as set out in the Framework, and are they justified?
2.132 This is a matter for the Council to respond to.

Q6.97 Would criterion II. Ecology be effective in mitigating the effects of the proposed allocation on ecology and the nearby woodland?
2.133 This is a matter for the Council to respond to.

Q6.98 Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?
2.134 This is a matter for the Council to respond to.

Q6.99 Are the proposed Modifications necessary for soundness?
2.135 This is a matter for the Council to respond to.

HSG19: Edgeworth Close, Whyteleafe

Q6.100 What effect would the redevelopment of this site have upon car parking and bin storage for nearby residents?
2.136 This is a matter for the Council to respond to.

Q6.101 Are there any matters which would mean that the site is not deliverable or developable as per footnotes 11 and 12 to the Framework?
2.137 This is a matter for the Council to respond to.
Q6.102 Are the proposed Modifications necessary for soundness?

2.138 This is a matter for the Council to respond to.

HSG20: North Tandridge: One Public Estate (NTOPE), Caterham

Q6.103 In terms of paragraph 154 of the Framework, does HSG20 in seeking to achieve the objectives of the North Tandridge: One Public Estate Programme, which is not part of the development plan, provide a clear indication of how a decision maker should react to a development proposal? Is HSG20 justified and would it be effective?

2.139 This is a matter for the Council to respond to.

Q6.104 In terms of paragraph 154 of the Framework, does HSG20 in seeking to achieve the objectives of the North Tandridge: One Public Estate Programme, which is not part of the development plan, provide a clear indication of how a decision maker should react to a development proposal? Is HSG20 justified and would it be effective?

2.140 This is a matter for the Council to respond to.